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Expanding Eviction Prevention in Los Angeles County

On March 7th Los Angeles County voters approved Measure H, the Los Angeles County Plan to Prevent and Combat Homelessness. While the County has already invested significant funds in the six areas identified as key to combatting homelessness, one area - preventing homelessness - while holding tremendous promise, also will require substantial development in order to be successful. The prevention of homelessness has proven elusive for many communities across the country because the number of households at risk of homelessness consistently overwhelms any system in place to try to help them.

The California Housing Partnership (CHP) recently released the first section of the County's first annual Affordable Housing Outcomes study. CHP found that nearly all renter households at the lowest end of the income spectrum spend more than half of their income on rent. Every single one of these households is at risk of homelessness simply because they are one car accident, one medical bill, or one emergency away from being unable to pay their rent.

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56,354 eviction actions were filed in 2015 in Los Angeles County. Eviction is often cited as a precipitating factor in homelessness. It is also a key indicator of which low-income and/or rent-burdened households are most at risk of homelessness.

In the 2016 Homeless Count, 14% of respondents reported that eviction or foreclosure was the direct cause of their homelessness. Despite the direct causal link between evictions and homelessness, over 90% of the households who faced these eviction actions in Los Angeles County lacked legal representation. Numerous studies have demonstrated that legal representation, particularly legal representation coupled with financial assistance, can prevent households facing eviction from losing their homes.

In a recent study in New York City, evictions decreased by 77% when households facing eviction were provided legal representation. Data is also emerging from Los Angeles County through the state-funded Shriver Housing Project demonstrating that, when provided representation, 42% of tenants facing an eviction are able to stay in their homes. The other 58% of tenants who were provided representation but were not able to successfully stay in their homes received an average of 68 days to move and \$5,200 in financial benefits. These tenants were also generally able to have their court record sealed so that their eviction would not appear on their record, thus making it easier for them to find a new rental unit.

New York City is leading the nation in efforts to reduce evictions and the negative effects of displacement by providing legal representation to tenants facing evictions. The City currently invests \$62,000,000 annually in legal representation to assist tenants

and has increased legal representation from as few as 1% of tenants having representation in 2013 to 27% of tenants having representation today. As the City has increased legal representation, eviction filings have decreased by 24% since 2013.

As Los Angeles County builds a system to prevent homelessness, it will be critical that the County include eviction prevention, including legal representation and financial assistance, as a core component of that system.

I, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Officer (CEO) to prepare a report back to the Board of Supervisors in 60 days with recommendations on how Homeless Initiative strategies A1 – Homeless Prevention for Program for Families and A5 – Homeless Prevention for Individuals can be expanded to include eviction defense services including legal representation and financial assistance. In developing its recommendations to the Board, the CEO should:

1. Consult with outside agencies that include, but are not limited to, the civil courts, the Los Angeles Homeless Services Authority, and public interest law firms;
2. Study other work being done in this area, including but not limited to the California's Shriver Housing Project, the Eviction Assistance Center at the Stanley Mosk Court House, and New York City's Homelessness Prevention Law Project and Housing Help Project;
3. Include recommendations for ways in which clients and cases can be screened to ensure that assistance is provided to households most at risk of homelessness, including the following:
 - a. Client screening factors that include: Past experience with homelessness; history of mental illness; disability; domestic violence survivor; age;

housing voucher holder; and/or below market tenancy; and whether the case involves allegations of criminal conduct; and

- b. Case screening factors that include: Vulnerability of the tenant; power of the landlord; affordability of the unit; cognizable defense; risk to safety, health, or child custody from loss of housing; and any other significant imbalance in power between the parties.
4. Include recommendations for ways in which screening for assistance can take place at civil courthouses, through the coordinated entry system, through identifying those at risk because of eviction filings, and other access points in communities;
5. Include recommendations as to whether assistance should be provided pre-litigation, limited scope legal representation, and/or full scope legal representation; and
6. Include a plan for evaluation of these eviction defense efforts, including how data can be collected to measure the scope of the problem and the effectiveness of the interventions adopted.